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Gerard, J. W.

— (N.Y.)

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Ever Yours
James W. Gerard
Jan. 4" 1863.

JAMES W. GERARD.

Biographical Sketch;

AND PROCEEDINGS OF THE BOARD OF

INSPECTORS OF COMMON SCHOOLS . .

In reference to the death of JAMES W. GERARD, together with the action of the

Board of Education,

A LETTER FROM CHARLES O'CONOR, ESQ.,

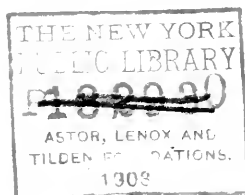
AND A BRIEF ACCOUNT OF THE

FUNERAL SERVICES.

NEW YORK:

EVENING POST STEAM PRESSES, 41 NASSAU STREET, COR. LIBERTY.

1874.





IN MEMORIAM.



HE late Mr. JAMES W. GERARD was a native of the City of New York, of Scotch and French descent.

He received a careful preparatory training in some of the best private schools in the city, and in due time graduated from Columbia College with marked distinction, being third in his class.

Though a finished classical scholar, and a fine mathematician, his natural tastes and glowing ambition took a higher range than the dry, dull formulas of text books. The indispensable value of these studies to thorough mental discipline he early felt

and appreciated, but in philosophical subjects, in *belles-lettres* and general literature, he found more pleasure and delight ; and to these he devoted his especial attention.

Mr. Gerard began his legal studies in the law office of the distinguished advocate George Griffen, then in the zenith of his fame. He read law with avidity, and soon mastered the contents of the elementary text books on this subject.

As an essential part of preliminary legal training, Mr. Gerard early saw that it was necessary to acquire the art of speaking with facility and perspicuity. Accordingly, he and a few associates of his early professional life, Hiram Ketchum, Thomas Fessenden, Ogden Hoffman, Hugh Maxwell, and other young lawyers, formed a debating society, called the Forum. Their place of meeting was in one of the largest rooms of the City Hotel, on Broadway, near Cedar Street. Few survive to remember the efforts of Mr. Gerard, Mr. Hoffman, and others at these weekly discussions. There was a constellation of brilliant young men in the Society, and the very best people in the city went to hear their debates.

The Forum was still in full tide of its success and growing popularity when Mr. Gerard was admitted to the bar. Emmet, Wells, Griffen, Ogden, Jones and Slosson, were then its shining ornaments,—men not only of great acquirements as lawyers, but

men of genius and eloquence, who cultivated oratory as an important adjunct to their profession.

Talent, industry, and perseverance formed the basis of Mr. Gerard's eminent success as a lawyer, and made him, for nearly sixty years, one of the most prominent and distinguished members of the bar of New York, and one of the very best representatives of the legal talent of his day.

The complimentary banquet given in January, 1869, by the members of the bar of this city to Mr. Gerard, on his retirement from practice, attests the high estimation in which he was held by the profession. It was a tribute almost unprecedented in its character—a tribute to his abilities, his upright conduct, and unbending integrity as a lawyer, and his general kindness of disposition, manifested at all times and to all persons during his long and honorable service at the bar—a tribute characterized by hearty depth of feeling and earnest regard. Such a tribute, from so many prominent gentlemen, was only feebly expressive of the universal regard entertained for Mr. Gerard as a citizen. In all matters of public interest and concern, his voice and influence have been heard and felt. Ennobling charities, reforms in government and politics, literature, science, and art, each have always had in him a strong, open, and faithful ally.

The circumstances connected with the first criminal case in

which Mr. Gerard was advocate (the defense of a boy fourteen years of age, indicted for his first crime of stealing a canary bird), led him to think that something might be done for the reformation of juvenile criminals. The Special Committee of the Society for the Prevention of Pauperism, organized in the year 1818 (of which Mr. Gerard was one of the managers), appointed to prepare the annual report for the year 1823; determined to consider thoroughly the question of juvenile delinquency. Mr. Gerard was the Chairman of the Committee and prepared the report, which embodied the idea afterwards realized in the House of Refuge. The gentlemen associated with him were John Stearns, M.D., and Mr. Hiram Ketchum. The report was read by Mr. Gerard before a meeting of the Society, held in the Assembly Room of the City Hotel on February 7th, 1823. He was invited to address a public meeting, held in the same place, December 19th, in the same year, and took for the immediate subject of his discourse the necessity of a House of Refuge for the Reformation of Juvenile Delinquents. The proposition met at once with public approval; the House of Refuge was built.

The act of incorporation was passed March 29th, 1824, and Mr. Gerard was appointed one of the Board of Managers. It is now one of the most useful institutions in the country, and

similar institutions have been organized in nearly every State in the Union.

For nearly twenty-five years Mr. Gerard had been connected with the Public Schools of this city, either as Trustee or Inspector, having declined to receive the appointment of Commissioner of the Board of Education, tendered to him by the Mayor of the city, preferring to occupy the position of Inspector of Common Schools.

After his retirement from the bar, he devoted himself, with all his energy, to the advancement of popular education. Mr. Gerard was always a constant, persevering friend of the cause of public instruction in this city. No man labored more faithfully and more successfully in its behalf. In all the difficulties which have beset the system from time to time, he was ever ready in counsel and in action.

Thousands and tens of thousands of children have listened appreciatingly to his words of good advice, and received from him lessons which proved of future usefulness to them.

His last official visit as Inspector was to the Grammar Department of the Twelfth Street School, in June, 1873, attending the distribution of certificates and the Gerard Medals, the latter of which he presented, in one of his felicitous speeches, to the three young ladies who had been chosen by the graduating class to receive them.

Mr. Gerard has said, "next to the rising sun each morning, there was no pleasure which touched him and moved him so deeply as that which he realized when he made his daily visit to the schools, and when, as he entered the door at the opening, he could hear the children chaunting their beautiful hymns."

To this exercise he referred in his speech at the Bar banquet, saying : " Now, there is one hour in the day which is sacred in this great city, and which is enough to redeem it from much of its sin and wickedness. As the city bells toll out the hour of nine in the morning, a hundred thousand children are engaged in prayer, in more than a hundred lofty buildings ; a hundred thousand tongues, with eyes cast upwards to the skies, are repeating in solemn, subdued accents, that beautiful prayer to their God, which our Saviour taught on earth ; a hundred thousand voices pour forth a solemn chaunt in praise of the great Creator who has given them the light of another day, and the sweet music of children's voices pouring forth strains of solemn music is more acceptable to Heaven than any holy incense ever thrown from silver censer."

During the past year there were perceptible signs that this long life was nearing to its close. Yet Mr. Gerard's faculties were clear, his eyes bright, his interest in things about him was

keen, his enjoyment of life healthy and true. He grew gradually weaker, without much pain or suffering, and calmly, peacefully, fell asleep, at eventide of the seventh day of February, 1874.

Farewell, kind friend of the children !

“ Every day a flower is plucked from some sunny home,
 “ a breach made in some happy circle, a jewel stolen from some
 “ treasury of love. Each day, from the summer fields of life,
 “ some harvester disappears. Each day some pearl drops from
 “ the jewel-thread of friendship ; some lyre, to which we have
 “ been wont to listen, has been hushed forever. But wise is he
 “ who mourns not the pearl and music lost, for life with him
 “ shall pass away gently as an eastern shadow from the hills,
 “ and death be a triumph and a gain.”

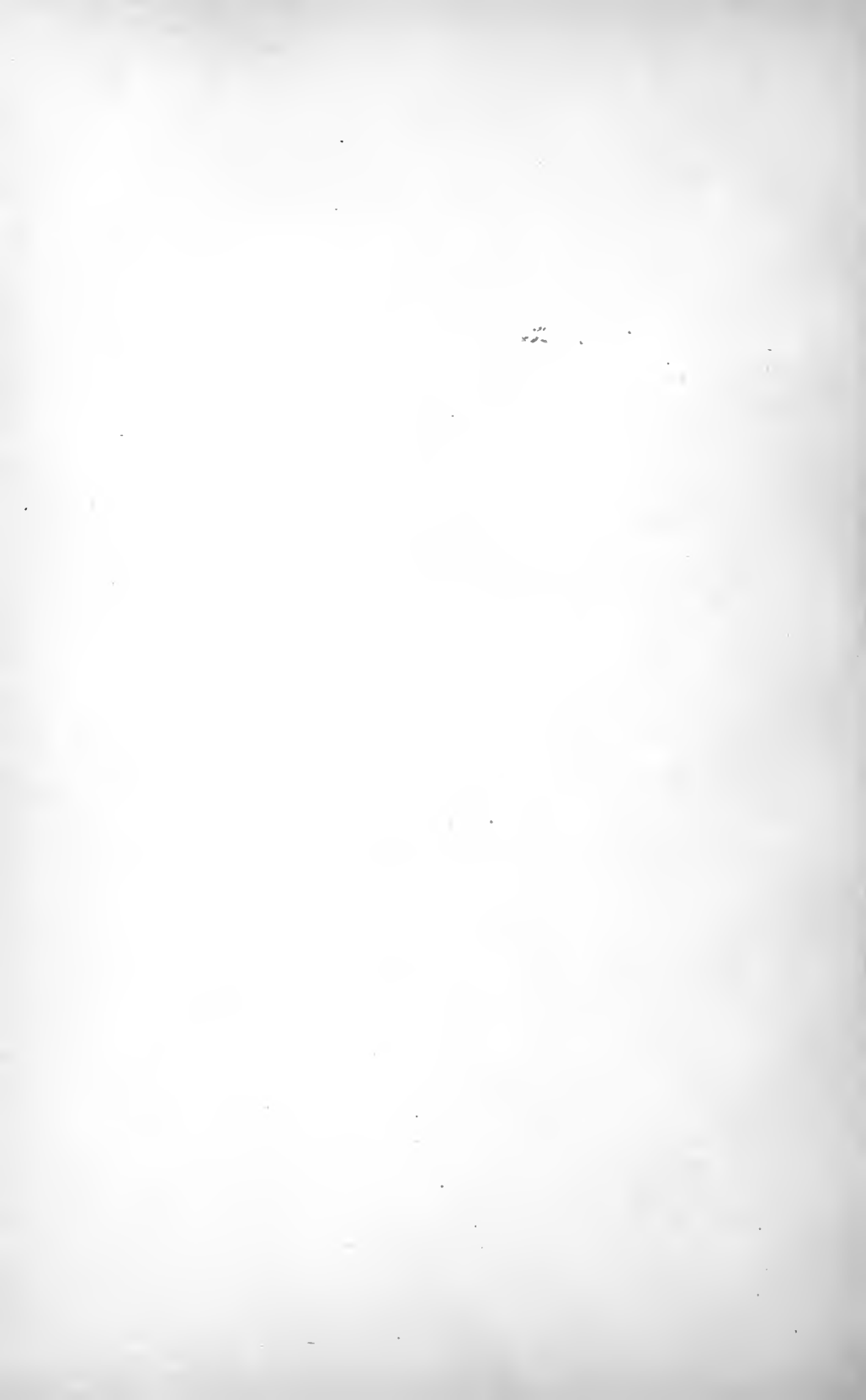
“ Rest comes at length, though life be long and dreary ;

The day must dawn, and darksome night be past ;

All journeys end in welcome to the weary,

And heaven, the heart's true home, will come at last.”





PROCEEDINGS

OF THE

Board of Inspectors of Common Schools.



THE PROCEEDINGS.

A meeting of the Inspectors of Common Schools was held at the Hall of the Board of Education on Saturday, February 14th, 1874, at 11 o'clock A. M., to give expression to their feelings of regret for the loss of their beloved and honored associate, James W. Gerard.

There were present on the occasion the following named Inspectors :—James Kelly, Alexander McL. Agnew, Elijah H. Kimball, Andrew Mills, John Hecker, Feodore Miersen, Alexander S. Hunter, M.D., Washington Thomas, Benjamin B. Atterbury, Hosea B. Perkins, William H. Gray, John F. Williams, Harvey H. Woods, and Thomas H. Faile.

There were also present, by invitation, Henry Kiddle, City Superintendent of Schools ; Thomas F. Harrison, Assistant Superintendent ; John Davenport, Auditor, and Lawrence D. Kiernan, Clerk of the Board of Education.

The meeting was called to order by Hosea B. Perkins, who nominated James Kelly as Chairman.

On motion, Lawrence D. Kiernan was chosen Secretary.

Mr. KELLY, on taking the chair, spoke as follows :

GENTLEMEN :—It is now more than thirty years since I first knew and learned to love him whose memory we have assembled to honor.

Few men have filled so large a place in the affections of the school children of this city as James W. Gerard, and few have deserved to stand so well with them. For twenty years, to my knowledge, he has been their constant companion—encouraging them by advice and instructing them by lecture. I think I may safely say that the future of many a young man and woman has been shaped for good through the influence and watchful attention of him, whose death is an acknowledged loss to the bar, to society, and to our system of free education.

One by one the founders and active friends of our Public Schools are passing away, and but few of those who helped to establish these schools have been permitted to witness their wondrous growth. Mr. Gerard has been one of these few ; and now he, too, has passed through “the valley and shadow of death,” with the proud consolation, however, that to his efforts, and those who labored with him, our schools are largely indebted for the distinguished reputation which they enjoy.

For the purity of motives, the disinterested zeal, and the unconquerable perseverance of the men who built up our system of Public Instruction, we owe a lasting debt of gratitude.

These men laid the foundations of the system deep in the popular heart ; they contemplated no temporary experiment ; they sought to build a work which would last for all time, and they have done it, and their memories should be ever gratefully cherished by those who enjoy the blessings which their efforts helped to bestow. Among these the deceased held a conspicuous place. But Mr. Gerard has passed beyond the grave, and all that our city could do to honor his ability as a lawyer, his integrity as a man, his ripe culture as a scholar, and his abounding love as a Christian philanthropist, has been done. The bench and the bar—the rich and the poor—the hundred thousand children who attend our Public Schools—all, with bowed heads and sorrowful hearts, have recognized that, in his death, society has lost one of its best and most useful members.

City Superintendent KIDDLE then offered the following preamble and resolutions :

Whereas, On the 7th of February, 1874, our venerable associate and friend, James W. Gerard, was removed by death from the scene of his earthly labors, after a life equally remark-

able for its length and its usefulness—its private virtues and its deeds of public beneficence ; and

Whereas, His devotion for many years to his duties as Inspector of the Fifth School District, and the great abilities which he manifested therein—in his examination of the schools, and his addresses and lectures to the children—as well as his munificence in providing, at his own expense, medals of reward, as incentives to good conduct on the part of the pupils, and the genial, kindly influence which he everywhere so widely dispensed, have made his name a household word in every family, and rendered him an object of the warmest esteem and admiration to us, his associates ; therefore,

Resolved, That, in the death of James W. Gerard, we feel that this city has lost one of its most virtuous and public-spirited citizens, and the cause of Common School Education one of its best friends and most devoted supporters ; one whose eloquent voice was ever lifted in advocacy of the interests of public education, and whose hand was always open to aid in its advancement.

Resolved, That while we bow in submission to the dispensation of an over-ruling Providence, in calling him from the scene of his useful life, full of honors and years ; and, while we mourn the loss of his eminent services to the community and to the

cause in which we are engaged, we treasure his bright example as a patriot and philanthropist, and consider it as a precious legacy to the youth of our city, to whose welfare he manifested so constant a devotion.

Resolved, That we deeply sympathize with the bereaved family and friends of the deceased, in their separation from one so kind, unselfish, and endearing in all the relations of life ; so affectionate a parent, so delightful a companion, so faithful and devoted a friend.

Before the resolutions were submitted for approval, Mr. KIDDLE spoke as follows :

Mr. Chairman,—In submitting the resolutions which have been prepared, I may perhaps be permitted to say a few words in testimony of my esteem for our venerable and beloved associate, who for nearly twenty-five years has been an earnest advocate and friend of the cause of public education in this City, and during most of this time an ardent and disinterested worker in its behalf.

So long a public service, without fee or emolument of any kind, is in itself a memorable and interesting fact ; but it becomes so in a far higher degree when we consider the brilliant talents, extensive experience, and varied accomplishments which were offered by the deceased on the altar of the public good, and

philanthropically devoted to the welfare and improvement of the rising generation of this City.

Certainly no greater talents or efforts were required to have placed him, had his ambition taken that direction, on the highest pinnacle of political preferment ; but, with rare unselfishness, he chose a path of life in which, although he might not expect to attain great fame, he knew he should do much good.

Mr. Gerard was eminently fitted for the duties of the office which he held during so many years. His love of children, his genial humor, his affability and fluency of speech, and his multifarious knowledge, gave him unbounded influence in the school-room, and made him the delight of both teachers and pupils. Indeed, it is impossible to estimate the extent and depth of the influence which he exerted. Like the mightiest forces of nature, it was diffusive and almost invisible. The lightning flash that rends the monarch of the forest, although more startling, is far less potent than the force that, by invisible degrees, lifted it from the earth. To hundreds of thousands of children his eloquent words have been an inspiration for all time, filling their hearts with a love of truth and beauty, from which could spring only good deeds and manly virtue.

Although of unusual intellectual eminence, he prided himself not upon that, but upon a kindly, loving nature, which diffused

happiness wherever he went. Hence, when he would offer prizes to the children, he was careful not to distinguish and reward mere intellectual superiority, but bestowed medals inscribed with the name of his own peculiar virtue, "AMIABILITY;" and, as long as his physical strength permitted, it was the greatest luxury of his life personally to award these interesting tokens of his affection, with words far more precious than the silver prizes which he dispensed.

Why need I speak here of his eloquent—truly eloquent lectures, so oft repeated in the schools, on various topics connected with the scientific discoveries of the time, or recounting his own interesting observations in the foreign lands he had visited? These were truly model lectures, not merely for children; for though so simple that the youngest pupil could understand them, they were so enriched with genial humor, quaint illustration, and lively fancy, as to be a feast to the most cultivated mind. How brilliantly and beautifully did he combine with the recital of scientific facts, usually so dry and uninteresting to children, all the products of imagination and taste!

But I need not dwell at greater length on these traits of his character. In all respects, he was a most winning and delightful companion—always in exuberant spirits, and ever exerting himself to render all around him cheerful and happy.

Though we deeply feel his loss, and cannot forbear mourning at the thought that we shall see his face no more on earth, yet lamentation for him were idle and selfish. He has lived beyond the bound of man's appointed time in this mortal sphere,—he has been gathered like a “shock of wheat fully ripe,” but, though gone from us, he still exists, in a sphere where his virtues and faculties will find wider scope for their exercise. Nor for us has he indeed ceased altogether to exist ; for in one sense the good and great can never die. The memory of their virtues and their bright example must continue to live through all coming time in an immortality that blooms beyond the grave.

Inspector HOSEA B. PERKINS, seconding the resolution, said :

Mr. President,—For the past fourteen years it has been my good fortune to be associated with Mr. Gerard as an Inspector of Public Schools, and I know of no person within the range of my acquaintance who has labored more earnestly and successfully for the cause of Public Education. It cannot be said of our distinguished friend and associate that he made his position as a school officer a stepping-stone to higher political honors, but, on the contrary, he repeatedly refused political positions of honor and emolument ; for he was a man of spirit so noble that

in serving the people as a School officer, he had no other object beyond the mere merit of having done so. He was a most extraordinary man in many respects ; in originality of thought, in depth of feeling, in versatility of talent, in felicity of illustration and expression, he had but few if any superiors.

He did not live for himself alone, but took a deep interest in the welfare of the rising generation. No particular class claimed his consideration, but the son of the poorest laborer was as dear to him as the child of affluence and luxury.

I shall long remember the last address that I ever heard Mr. Gerard make—especially his earnest and eloquent appeal to his young auditors to love right more than wrong, virtue more than vice, justice more than expediency, and warned them against the undulating current of corruption and crime that is now sweeping all over our broad land, and “burying beneath its dark and troubled waters” the young, the generous, and the brave.

Mr. Gerard was the inflexible friend of the teachers, and to him they are indebted for much excellent advice, and no one had a more just and proper appreciation of the intellectual, social, and “moral dignity of the educational profession.”

His earthly labor is done, and all that was mortal of the great advocate and instructor has been consigned to “the

grave's fast keep ;" but the light of his great genius still lingers, and his memory is enshrined in thousands of warm and generous hearts—a far nobler mausoleum than one of brass or marble.

Why, Mr. Chairman, I would rather have the honor of that large gathering of eminent men, intelligent women, and interesting children, who assembled with bowed heads and stricken hearts at the portals of his tomb, than enjoy the fame of the soldier, the politician, or the statesman. Military glory, political eminence and statesmanship are more or less ephemeral—they will fade from the memory of mankind, and die with the glare of all things earthly; but that innate goodness that ever attaches itself to the soul of the true benefactor "belongs to both worlds, and is immortal." His fame, like the current of a majestic stream, rolls on and on, and at last mingles with the immeasurable ocean. Sleep, noble spirit, sleep in peace! Old mother earth never cradled on her kindly bosom, a more genial companion, a truer friend, a more ardent lover of his race, and Heaven never opened wide its everlasting gates to admit a manlier spirit.

Inspector ANDREW MILLS said :

Mr. Chairman,—In rising to advocate the adoption of the preamble and resolutions offered by our worthy Superintendent,

in regard to the character of our late lamented friend, James W. Gerard, I can scarcely suppress the emotions of sorrow which I feel for the loss of one whom I esteemed so highly. I had been associated with the deceased, as a school officer, for many years, and had learned to appreciate his many virtues, and excellencies of character. His superior qualifications for the position which he held, his noble and generous principles, his untiring attention to the schools not only in his own district, but in every part of the city—from the Battery to Harlem—all made him invaluable as a school officer. He constantly visited the Public Schools, delivering valuable lectures and addresses to the pupils, and endearing himself by his pleasant and genial manners, to both pupils and teachers, and indeed to all whom he met.

Nor was his benevolence confined to the schools—it was universal; and I have known many kind and liberal acts performed by him for those who were in distress and needed a friend. I sincerely hope and believe he is now reaping his reward for his good and noble deeds.

Assistant Superintendent THOMAS F. HARRISON spoke as follows :

Mr. Chairman,—It was my intention to be silent at this

meeting. I thought that I should simply listen to and approve those justly deserved encomiums upon him whom we have lost, which, as I anticipated, have been so ably and so eloquently expressed. But this truthful recital of his virtues has brought up so vividly before me the image of him whom we have met to remember, and has so forcibly revived in my mind one aspect of his many-sided character, that I ask your indulgence for a few words.

Mr. Gerard was indeed a man gifted with many talents and virtues ; yet it was not his wealth, it was not his social station, it was not his learning, his forensic skill, his eloquence, nor even his sterling integrity, that endeared him to us, but underlying all these and subordinating all these, it was his persistent, unselfish devotion to the welfare of the young, his genuine kindness of heart, and his sympathy with the struggling and the unfortunate. In my long association with him in our respective official capacities, I had many opportunities of seeing this latter trait exemplified, and something which has been said here to-day recalled most vividly a little incident which illustrates it.

I had assisted Mr. Kiddle in examining a graduating class of the supplementary grade. It was before the establishment of the Normal College. Those girls who should be declared "passed" would be entitled to a license to teach, and Mr.

Gerard was present in his capacity as Inspector. Only three or four in the class fell below the required standard. Among these was a girl apparently not only the poorest in the room, but a cripple, whose lot in life must be hard at the best. While the marks which had been given to the doubtful ones were being carefully reviewed before a final decision, Mr. Gerard was outspoken in his anxiety for this unfortunate girl. He paced the floor, evidently, as always, desiring that a just judgment should be given, yet manifesting a sympathy so intense that the final adverse verdict forced from him a heavy sigh as he said, his voice manifesting the depth of his emotion, "I know it is right; but oh, how glad I should have been had a different decision been proper! This poor child, the oldest of a large family, would then have been able not only to support herself, but to relieve her poor but worthy parents of a load that is too heavy for them to bear."

Whenever present in this Hall at the examination of candidates, he was always anxious lest their nervousness and embarrassment should prevent their doing themselves justice; and the cheery voice and pleasant manner with which he gave them his kind advice abundantly showed that what I once heard him say of another was far more true of himself—"He was the gentlest of gentlemen."

Inspector ELIJAH H. KIMBALL then said :

Mr. Chairman,—We seem to linger here and to prolong the hour appointed for us to meet, and to speak of the virtues of our departed associate.

Although our time is far spent, you will permit me to say a few words.

I have known Mr. Gerard since 1837, some thirty-six years, during the earlier part of this period, we have frequently met professionally at the bar in the trial of causes—sometimes associated, oftener opposed—and during this time we have had pleasant social intercourse, and lately we have been associated as Inspectors of the Public Schools.

The office of Inspector of the Public Schools, which Mr. Gerard so long held, and the duties of which he so faithfully performed, was the only public office which he sought or was willing to accept.

It has been truly said, and the fact has been referred to as exhibiting one among the many benevolent traits of Mr. Gerard's character, that he performed all these faithful services freely and without compensation.

Freely they certainly were given, and without pecuniary compensation, but not without reward : he himself being judge, the time devoted to the Public Schools were the happiest days

of his life ; he felt the full power and glow of the reflex influence of the holy principle, " it is more blessed to give than to receive." Yes, the gratitude which flowed back from teachers and taught, in return for his gratuitous and graceful efforts to instruct, encourage and to please, filled his heart to overflowing with joy and delight, and afforded a reward in comparison with which pecuniary compensation is insignificant and valueless.

Mr. Chairman, at a meeting of the New York Bar, in honor of our deceased associate, Mr. Van Winkle, one of its ablest and most worthy members, referred to the transitory character of the lawyer's name, fame, and memory, citing the names of many who were celebrated in their day, and who are now nearly or quite forgotten. Why is this ? Because the lawyer's business is with things temporal, which perish in the using. Long after the fame of Gerard as a lawyer and advocate shall have passed away, the aroma of his philanthropy, the gift of himself to the cause of public instruction, will remain and will continue, until the hundreds of thousands of children who have listened to his voice shall cease to repeat his praise.

Mr. Chairman, with such an example of devotion and fidelity to a work which is essential to the preservation of public virtue and good government, shall we not be quickened to greater effort in the discharge of the duties of our office ? Shall we not

emulate the devotion of our late associate who has just passed over Jordan to receive the Master's welcome: "Well done, good and faithful servant; inasmuch as ye did it unto the least of these, ye did it unto me : Enter into the joy of your Lord."

The preamble and resolutions were unanimously adopted, and the Secretary directed to transmit an engrossed copy to the family of the deceased.



ACTION

OF THE

Board of Education.



ACTION OF THE BOARD OF EDUCATION.

On the ninth day of February, 1874, the President of the Board of Education issued the following notice :

“ To the Commissioners, Trustees, Inspectors, Principals, and Teachers of the Common Schools :

“ By the death of Inspector James W. Gerard, the Schools have lost a faithful friend, whose labors and interest for more than a quarter of a century have been actively alive and freely given in their behalf. Not confined by the boundaries of the district or ward for which he was specially elected or appointed, with an enlarged benevolence, he visited all the schools of the city, instructing and encouraging, by lectures and kind words of address, the teachers and scholars. It seems proper that his attachment and services should be recognized by a more than usual mark of respect for his memory.

“ I therefore advise that the hour appointed for the funeral

be observed in the several schools of this city by such appropriate memorial exercises as the trustees and principals may provide. That such teachers as can be spared from the schools at the morning session of that day be permitted to attend the funeral; that the flags upon the hall of the Board of Education and on the school houses be placed at half-staff. And by virtue of the power vested in me by the by-laws of the Board of Education, I direct, as a further mark of respect for the memory of Mr. Gerard, that the schools in his district, the Fifteenth and Eighteenth Wards, be closed for the day on Wednesday next.

“ The members of the Board of Education, the Trustees and Inspectors of Common Schools, the City Superintendent and Assistants, are invited to meet at half-past nine o'clock A. M., on Wednesday, the 11th inst., at Grammar School No. 50, in East 20th Street, near Third Avenue, to proceed thence to attend the funeral in a body.

“WM. H. NEILSON,

“ President of Board of Education.”

In accordance with the foregoing notice, on Wednesday, February 11th, 1874, the officers above named convened at Grammar School No. 50, in East 20th Street, and having

unanimously adopted the following preamble and resolutions, proceeded to Calvary Episcopal Church for the purpose of attending the Funeral service.

Whereas, James W. Gerard, whose decease is now announced, has been for many years an earnest and efficient co-worker with us in the cause of public education ; therefore

Resolved, That in the decease of Mr. Gerard, the cause of education, and particularly the public school system of the city of New York, sustain the loss of a most useful friend and able advocate ; and we desire especially to recognize the fact that, both by wise counsels and devoted personal example, he bore a distinguished part in raising our present school system to its high standard, and establishing it in public favor and confidence ; and

Resolved, That, in common with his friends and the entire community, we deplore as a public loss the decease of the eminent citizen who is thus called away in the fullness of years and honors, and yet still in the midst of his usefulness.



LETTER

OF

School Inspector James Kelly,

AND

Reply of Chas. O'Connor, Esq.



MR. KELLY'S LETTER.

School Inspector James Kelly, after advising with his associates, addressed the following letter to Mr. Charles O'Connor :

NEW YORK, March 2d, 1874.

CHAS. O'CONOR, Esq. :

Dear sir,—The Board of School Inspectors of this city are preparing a record of the proceedings of a meeting held by them for the purpose of taking action in respect to the memory of the late James W. Gerard.

It has been suggested that I should request you, as the oldest and most honored member of the legal profession, to embody in writing some recollections of one who for nearly half a century held a prominent position at the Bar in this city.

May I hope, dear sir, that as a personal favor to me, and in deference to the wishes of my associates, as well as in respect to the memory of a valued friend, you may find time to comply with this request.

I have the honor to be,

With sincere regard,

Very truly yours,

JAMES KELLY.

REPLY OF CHAS. O'CONNOR, ESQ.

FORT WASHINGTON,

March 5th, 1874.

MY DEAR SIR,

An intimacy with our esteemed and lamented friend, during the whole of my professional life, marked by continual and reiterated experiences of his practical kindness, enables me to bear as strong testimony of his personal worth as language affords the means of recording. Originally introduced to me as the counselor, guide, and friend of my own first preceptor, in whose many needs and trials he served as a guardian angel, I can confidently affirm that I never since knew him to occupy any inferior or less amiable office toward those who, from any circumstance, were placed in a condition to call for the exercise of his beneficence.

His professional life was long, exceedingly active, and was

especially marked by successful effort. His powers of persuasion were marvelous. It was a practice with some of his gifted brethren, themselves in the foremost rank of their profession, to advise his employment in cases to which they felt inadequate—a course not unfrequently attended with results scarcely to have been hoped for. He was especially formidable in questions of fact before juries, and on questions of law in the court of final resort. His genial feelings always excluded from the discussion every asperity ; and when stronger elements could not be employed with profit, he invariably reduced the controversy to a play of wits.

In this he was irresistible, and often thereby tried to the utmost the tempers of his vanquished peers.

A single specimen may suffice for an illustration, though multitudes like it might be recounted.

He once argued a celebrated land case, presenting only matter of strict technical construction, in the court of last resort before twenty-five members—many of whom were “lay gents,” not learned in the law. He found all the judges against him ; so, after exhausting graver topics, he involved their honors in a wholly irrelevant disquisition concerning a matter of architectural taste, and in this he completely “turned the laugh” against them.

A single vote beyond the count for his opponent, gave him the victory ; and it was universally attributed at the time to the superior wit which he displayed in his tilt with the judges.

Let not this be deemed a reproach to him, to the law, or to those who administered it. Some cases of the class to which this belonged will ever perplex the acutest intellects in such a degree that " the restlessness of doubt cannot give way to the repose of conviction." It may thus often happen that parties, counsel and judges alike, fail to perceive that either side has any evident moral advantage.

It might be supposed that such fertility in expedients with such felicity in resorting to them, and such marked success, would have stimulated animosities ; but I am convinced that Mr. Gerard never had at any time, even for an hour, an enemy in the ranks of his profession. Indeed, I never knew of his having one of any sort.

Strictly honorable in all his actions ; fair and liberal in his practice ; nothing he ever did or said could have irritated, except the results of his inimitably persuasive powers ; and to the honor of his rivals be it said, their sense of justice permitted no ill feeling on that account.

In social intercourse Mr. Gerard was every inch a gentleman.

He cultivated successfully all the refined pleasures of metropolitan life, and was also a strict observer of the moral and religious proprieties. At the close of a long and useful life he has passed away from us, leaving to enjoy his honest fame, his honored name and fairly acquired fortune, a highly respected posterity. His decease, though deeply regretted, was not untimely. In reflecting upon his career, and contemplating its close his contemporaries must acknowledge that his virtues have not been without their reward.

When Mr. Gerard retired from business, his mental and physical powers being unimpaired, the earnestness with which he devoted himself to the improvement of youth under our school system was characteristic of the man.

Altogether unambitious, he had at all times previously shunned office, and rigorously adhered to the habits of private life ; but this new line of action was public in its nature, and it necessarily brought him upon a higher theatre, and attracted more general observation. You, sir, and his other associates in this benevolent work, have had the best means of appreciating the extent and value of his labors. Your testimony has been given ; it proves that in this, his latest sphere of action, Mr. Gerard exhibited the same great abilities, and the same philanthropic spirit which had before won for him the highest pro-

fessional honors, and an affectionate esteem, coextensive with the whole circle in which he moved.

I am, dear sir,

With great respect and esteem,

Yours truly,

CH. O'CONOR.

To

JAMES KELLY, Esq.,

Inspector of Common Schools.



FUNERAL SERVICE

OF THE LATE

James W. Gerard.



THE FUNERAL SERVICE.

The funeral of the late James W. Gerard took place Wednesday, February 11th, 1874, from Calvary Episcopal Church.

It was one of the most impressive ceremonials of a private nature ever witnessed in this city; and seldom has there been an occasion which has called forth so many distinguished citizens, representatives of the Bar, the Bench, the Financial and Commercial interests of New York and Brooklyn, as were assembled to participate in the service.

Among those present were, The Board of Managers of the House of Refuge; Members of the Bar Association of this city; His Honor Wm. F. Havemeyer, Mayor; Andrew H. Green, Comptroller; Wm. H. Neilson, President, and the Commissioners of the Board of Education; the Trustees and Inspectors of Common Schools; Henry Kiddle, City Superintendent of

Schools ; Alexander S. Webb, LL.D., President, and the Faculty of the College of the City of New York ; and many Principals, Teachers, and Scholars of the Public Schools.

The chancel of the church was filled with elegant floral memorials—the gifts of the pupils of the Schools, and of many other friends of the deceased.

The floral tributes from the Scholars were :

A STAR

From Primary School No. 4.

A COLUMN

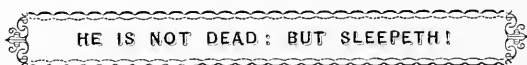
Female Department of Grammar School No. 10

A TABLET, with the inscription



Graduates of Female Department of Grammar School No. 10

A LYRE, with the inscription



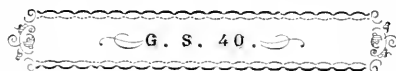
Male Department of Grammar School No. 10.

A TABLET, with the inscription



Grammar Department of School No. 35.

A LYRE with broken Strings, and the inscription



Grammar Department of School No. 40.

A COLUMN

Primary Department of School No. 40.

A CROSS

Grammar Department of Twelfth Street School No. 47.

A COLUMN

Primary Department of Twelfth Street School No. 47.

A CROWN,

SURMOUNTED WITH A CROSS OF PURPLE FLOWERS,

Grammar Department of School No. 50.

These splendid tributes of flowers, bestowed by the hand of friendship and sympathy, were inspected for two hours after the ceremonies had been ended.

The funeral cortege, on entering the church, was preceded by the

PALL BEARERS :

Judge NOAH DAVIS,	Mr. HENRY NICOLL,
Judge CHAS. P. DALY,	Mr. ROYAL PHELPS,
Mr. WM. M. EVARTS,	Mr. SAMUEL B. RUGGLES,
Mr. FRED'K SCHUCHARDT,	Mr. ALEXANDER McL. AGNEW.

THE CASKET

—on which was laid a wreath of evergreens, a sheaf of grain, and a cross of variegated autumn leaves—was of chaste design, covered with black cloth ; on the plate was the simple inscription :

JAMES W. GERARD,

Died: February 7th, 1874.

As the procession entered the Church, it was joined by the officiating clergymen, Reverend Edward A. Washburn, D. D., rector of the parish, and Reverend William D. Walker, who read the Episcopal form of service for the burial of the dead.

The choral portion of the service was rendered in an impressive manner.

At the close of the ceremonies, the remains of the deceased were conveyed to Greenwood Cemetery for interment in the family vault.

“Blessed are the dead who die in the Lord.”





